



City Council Agenda

Council President
Chris Mathys

Council Members

Garry Bredefeld
Mike Briggs, Acting President
Henry Perea

Sal Quintero
Daniel Ronquill
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cant Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, SEPTEMBER 22, 1998

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON WWW.CL.FRESNO.CA.US)

9:00 A.M. Roll Call

Invocation by Pastor Wayne Holeman - Butler Pentecostal Church of God

Pledge of Allegiance to the Flag

Presentation of Awards to Steinbeck Elementary School Students for Perfect Attendance - Council President Mathys

Proclamation of "AMERICAN GOLD STAR MOTHERS WEEK" - Councilmember Bredefeld

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of September 15, 1998

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS:

9:15 A.M. Proclamation of “BUILD A BETTER COMMUNITY WEEK” - Councilmember Ronquillo

9:30 A.M. **TEFRA HEARING** as required by Section 147(F) of the Internal Revenue Code of 1986 to hear and to consider information concerning the proposed issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority (CSCDA) to provide financing for the acquisition and rehabilitation of a Multifamily Residential Rental Project (Park West Apartments)

(CONTINUE TO 11:00 A.M.)

Action Taken:

9:45 A.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY:**

Approve Agency minutes of September 15, 1998

Action Taken:

A. Presentation and direction to staff regarding a downtown lake - Councilmember Bredefeld

Action Taken:

9:45 A.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED:**

GENERAL CONSENT CALENDAR:

- B. Accept transfer of two City-owned parcels of real estate within the Kearney Palms Shopping Center site to the Redevelopment Agency
(APN's 465-173-01T and 467-104-11T)

Action Taken:

ADJOURN AGENCY

- 10:00 A.M.** Consider amendments to the Fresno City Employees Health and Welfare Trust relating to appointments by City and arbitration procedures - Councilmember Quintero
(**Council action to override Mayoral veto: Requires 5 votes**)

Action Taken:

- 11:00 A.M.** **CONTINUED TEFRA HEARING** as required by Section 147(F) of the Internal Revenue Code of 1986 to hear and to consider information concerning the proposed issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority (CSCDA) to provide financing for the acquisition and rehabilitation of a Multifamily Residential Rental Project (Park West Apartments)

Action Taken:

- a. **RESOLUTION** - Providing approval for CSCDA to issue Multifamily Housing Revenue Bonds for the acquisition and rehabilitation of Park West Apartments

Action Taken:

- 2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

- 2:00 P.M.#2 CLOSED SESSION:**

REGULAR CLOSED SESSION OF THE REDEVELOPMENT AGENCY:

- A. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** - Government Code Section 54957 - (Councilmember Steitz)

Title: Redevelopment Agency Executive Director, Dan Fitzpatrick

Action Taken:

- 2:00 P.M. JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY**

- B. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:**

- a. County vs. City vs. County (Parking Fines Case), Sup. Ct. No. 502123-3; CA#5-5872
- b. City vs. County vs. City (AB 1290), Sup. Ct. No. 545904-5; CA#16-7213

- c. County vs. City vs. County (CSA 48), Sup. Ct. No. 560663-7;
CA# 16-7283
- d. County vs. City (Roeding Park II), Sup. Ct. No. 571200-5;
CA#16-7328
- e. County vs. City (Roeding Park III), Sup. Ct. No. 573647-5; 4-7341
Action Taken:

2:30 P.M. HEARING regarding City of Fresno Community Facilities District No. 2, Annexation No. 8

Action Taken:

- a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax
Action Taken
- b. **RESOLUTION** - Calling a special-mailed ballot election relating to the Community Facilities District No. 2, Annexation No. 8
Action Taken
- c. **RESOLUTION** - Declaring election results relating to the Community Facilities District No. 2, Annexation No. 8
Action Taken
- d. * **BILL** - Levying a special tax for the property tax year 1999-2000 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 8, City of Fresno
Action Taken

5:30 P.M. Direction to staff to conduct warrant study for 4-way stop sign at Alluvial and Polk Avenues - Council President Mathys

Action Taken:

1A. GENERAL CONSENT CALENDAR:

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

- 1. Approve appointment of Sharon Levy to the Fresno Workforce Development Board - Councilmember Briggs **(for adoption)**
Action Taken:
- 2. Approve transfer of two City parcels within the Kearney Palms Shopping Center Site to the Redevelopment Agency (APN's 465-173-01T and 467-104-11T)
Action Taken:
- 3. * **RESOLUTION** - 3rd amendment to PAR No. 98-160 adding one police officer to undertake the Violence Against Women Law Enforcement Specialized Units Program

Action Taken:

- a. * **RESOLUTION** - 16th amendment to AAR No. 98-159 appropriating \$94,700 to undertake the Violence Against Women Law Enforcement Specialized Units Program **(Requires 5 affirmative votes)**

Action Taken:

4. Award a contract for two (2) new Class-7 crew cab trucks, one (1) new Class-8 truck tractor, and one (1) new Class-7 cab and chassis truck

Action Taken:

5. * **RESOLUTION** - 19th amendment to AAR No. 98-159 appropriating \$22,000 to reimburse Parks Department for the costs associated with the removal and transplantation of olive trees including the repair of the asphalt on Peach Avenue between Butler and California **(Requires 5 affirmative votes)**

Action Taken:

6. * **RESOLUTION** - 20th amendment to AAR No. 98-159 appropriating \$500 of District 6's Infrastructure Capital to provide support to the Hoover Youth Football Program (Pop Warner Football) - Councilmember Bredefeld **(Requires 5 affirmative votes)**

Action Taken:

7. Award a contract for the development and administration of Economic Development Agency (EDA) Revolving Loan Fund

Action Taken:

1A. GENERAL CONSENT CALENDAR CONTINUED:

8. **RESOLUTION** - Authorizing and directing the Public Works Director to execute a grant of easement and right-of-way to the Fresno Metropolitan Flood Control District for a drainage channel across Water Well Site No. 2B, property located north of Belmont Avenue on the west side of Park Avenue adjacent to the northerly side of Freeway 180

Action Taken:

9. Approve Professional Services Agreement with Triad Associates for the design of Dante/Alluvial Neighborhood Park and Maple/Shepherd Neighborhood Park

Action Taken:

10. **RESOLUTION** - Approving Final Map for Tract No. 4857, Phase II of Vesting Tentative Tract No. 4741/UGM 574, a 37-lot single-family residential subdivision on 9.60 acres, located at the east side of N. Sommerville Drive, formally known as N. Chestnut Avenue between E. Shepherd Avenue and E.

Perrin Avenue
Action Taken:

1B. CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS

- A. **BILL** - Amending Subsection (h) of Section 8-1016 of the Fresno Municipal Code relating to conditions of operations of bingo
Action Taken:

2. PLANNING AND ZONING ADMINISTRATION

3. GENERAL ADMINISTRATION

- A.* **BILL NO B-81 (INTRO. 9/15/98)** - Adding Article 9 of Chapter 9 to the Fresno Municipal Code regarding management of real property (**for adoption**)
Action Taken:

- B. * **BILL NO. B-82 (INTRO. 9/15/98)** - Repealing, adding and amending sections of the Fresno Municipal Code relating to Convention Center licenses (**for adoption**)
Action Taken:

3. GENERAL ADMINISTRATION CONTINUED:

- C. **Settlement of:**
1. County vs. City vs. County (Parking Fines Case), Sup. Ct. No. 502123-3;
 2. City vs. County vs. City (AB 1290), Sup. Ct. No. 545904-5;
 3. County vs. City vs. County (CSA 48), Sup. Ct. No. 560663-7;
 4. County vs. City (Roeding Park II), Sup. Ct. No. 571200-5;
 5. County vs. City (Roeding Park III), Sup. Ct. No. 573647-5; 4-7341
 - a. **RESOLUTION** - Authorizing installation of payments in connection with settlement of City-County litigation
Action Taken:

4. CITY ATTORNEY

5. CITY COUNCIL

- C. Consider addition to Council Rules and Protocol relating to Rule 16 (g) regarding timed items -

Councilmember Briggs

Action Taken:

- B.** Report from staff relating to discontinuing the Green Waste Pilot Program in District 5 immediately and return to the existing program and the use of a proposed program used in other cities - Councilmember Quintero

Action Taken:

- C.** Direct City Manager and staff to obtain a cost estimate for the purpose of retrofitting the Riverside Golf Course restroom, parking and retail facilities to ADA compliance - Council President Mathys and Councilmember Bredefeld

Action Taken:

- D.** Direct staff to conduct warrant study for stop signs on Chestnut Avenue, between Herndon and Sierra Avenues - Councilmember Bredefeld

Action Taken:

- E.** Direct staff to remove stop signs on Ashlan Avenue at Blythe and Ashlan Avenues - Council President Mathys

Action Taken:

6. CITY/COUNTY INTERGOVERNMENTAL RELATIONS

- 7. UNSCHEDULED ORAL COMMUNICATIONS - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.**

SCHEDULED COUNCIL HEARINGS AND MATTERS

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| Sept. 29 - 10:30 A.M. | HEARING on P.A. No. A-98-07, Rezone Appl. No. R-98-030, filed by Educational Employees Credit Union |
| Sept. 29 - 11:00 A.M. | HEARING re: P.A. No. A-98-013, Rezone Appl. No. R-98-015, filed by Donald Orosco |
| Oct. 6 - 9:45 A.M. | Amend Section 8-1212.1 of the FMC re: to Mobilehome Rent Review and Stabilization - Council President Mathys |
| Oct. 6 - 10:30 A.M. | HEARING re: vacation of a portion of Nees Avenue from Freeway 41 westerly near Poplar Avenue - R.I. 1015-D |

Oct. 6 - 10:40 A.M. HEARING re: vacation of a portion of Calimyrna Avenue between Stanford and Brawley Avenues - R.I. 1016-D

Oct. 6 - 5:30 P.M. CONTINUED HEARING on consideration of bills relating to advertised structures (billboards)

Oct. 20 - 9:30 A.M. HEARING re: Plan Amendment to Woodward Park Community Plan, P.A. No. 98-20, filed by Demco, Inc.

Oct. 20 - 10:00 A.M. Employee Service Awards Presentation and Reception

Oct. 20 - 10:45 A.M. HEARING re: Rezone Appl. No. R-98-21, filed by Prestige Care, Inc.

Oct. 20 - 5:30 P.M. JOINT HEARING WITH RDA on Merger No. 2 and Certifying EIR No. 10125

Oct. 27 - 9:00 A.M. Presentation of Employee P.R.I.D.E. Team Awards and Reception

Nov. 3 - ELECTION DAY - MEETING TO BE DETERMINED

Nov. 10 - 3:00 P.M. Proposed text amendment dealing with the establishment of residential water rates - Council President Mathys

Nov. 24 -. NO MEETING - THANKSGIVING WEEK

DEC. 15 - 2:30 P.M. CONTINUE HEARING re: City of Fresno Community District No. 2, Annexation No.